

Please type a plus (+) inside this box

+

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket No.	9357-029-999	Total Pages	57
		First Named Inventor or Application Identifier			
		Xilinas			
		Express Mail Label No.	EV335857698US		

APPLICATION ELEMENTS
See MPEP chapters 600 concerning utility patent application contents.

Commissioner for Patents
P.O. Box 1450
Mail Stop PATENT APPLICATION
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)

2. ☐ Applicant claims Small Entity status, see 37 C.F.R. § 1.27

3. ☒ Specification [Total Pages 37]
(preferred arrangement set forth below, MPEP 1503.01)
- Descriptive title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description of the Invention (including drawings, if filed)
- Claim(s)
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 USC 113) [Total Sheets 5]

5. ☒ Oath or Declaration [Total Sheets 2]
a. ☐ Newly executed (original or copy)
b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. ☐ Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ paper
c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☐ 37 CFR 3.73(b) Statement ☒ Revocation and Power of Attorney (copy from U.S. Application No. 09/485,909)
(when there is an assignee)

11. ☐ English Translation Document (if applicable)

12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations

13. ☒ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent

17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: 09/485,909, filed 10/19/2000, which is the national stage of International Application No. PCT/IB98/01095, filed July 17, 1998, which in turn claims benefit, under 35 U.S.C. § 119(a) of Greek Patent Application Nos. 970100507 filed December 31, 1997, and 970100330 filed August 21, 1997, the disclosures of each of which is incorporated by reference herein in its entirety.

Prior application information:

Examiner: Criares, Theodore J.

Group Art Unit: 1617

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number

20583
Insert Customer No.

☐ Correspondence address below

NAME			
ADDRESS			
CITY	STATE	ZIP CODE	
COUNTRY	TELEPHONE	FAX	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner Criares, Theodore J.
Art Unit 1617

Commissioner for Patents
P.O. Box 1450
Mail Stop PATENT APPLICATION
Alexandria, VA 22313-1450

Sir:
This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of
pending prior application no. 09/485,909 filed on October 19, 2000.

of Xilinas and Gerolymatos
(inventor(s) currently of record in prior application)
for USE OF PHANQUINONE FOR THE TREATMENT OF ALZHEIMER'S DISEASE
(title of invention)

1. ☒ The filing fee is calculated below, in view of the Preliminary Amendment submitted herewith:

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	32	- 20	12	\$18.00 each	\$ 216.00
Independent	4	- 3	1	\$86.00 each	\$ 86.00
Minimum Fee					\$ 770.00
Multiple Dependency Fee If Applicable (\$290.00)					\$ 290.00
Total					\$ 1362.00
Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$ 0.00
Total Filing Fee					\$ 1362.00

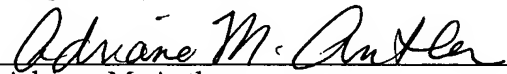
2. ☐ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
- 3a. ☒ A Preliminary Amendment is enclosed.
- 3b. ☐ A new specification, substantially identical to the pending prior application and containing no new matter, is enclosed.
- 4a. ☐ New formal drawings are enclosed.
- 4b. ☒ Informal drawings are enclosed.
- 5a. ☒ Priority of application nos. GR 970100330, filed August 21, 1997; GR 970100507, filed December 31, 1997 is claimed under 35 U.S.C. § 119 in U.S. Application No. 09/485,909, of

which this is a divisional.

- 5b. ☒ The certified copies of GR 970100330 and GR 970100507 have been filed in prior application no. 09/485,909, filed October 19, 2000.
6. ☒ The prior application is assigned of record to P.N. Gerolymatos S.A. at Reel 011275, Frame 0991 and Reel 011276, Frame 0050 on November 30, 2000.
- 7a. ☒ A copy of the Revocation and Power of Attorney filed in the prior application no. 09/485,909, filed October 19, 2000 is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. ☒ Additional enclosures or instruction: copy of Declaration from prior application no. 09/485,909.

Respectfully submitted,

Date November 18, 2003


Adriane M. Antler 32,605
PENNIE & EDMONDS LLP (Reg. No.)
1155 Avenue of the Americas
New York, New York 10036-2711